



June 5, 2014

Senate Natural Resources, Environment, and Great Lakes Committee
Lansing, Michigan

Re: SB 891 – Part 201 changes – Cleanup of Contaminated Property

Dear Senators,

The Michigan Environmental Council is an umbrella group of over 65 organizations working on environmental protection and conservation issues across Michigan. A number of these groups are directly involved with efforts to remediate contaminated property and redevelop the parcels in a manner that protects public health.

We have concerns with a number of provisions of SB 891 including the following:

- Parks are treated as nonresidential property, and therefore may be subject to lower cleanup standards even though children could receive significant exposure at those sites. (pg 11 and pg 14)
- A requirement that the department explain the rationale behind not requiring the cleanup of a contaminated aquifer is removed. (page 38)
- The requirement for an aquifer monitoring plan for a contaminated aquifer is removed. (page 39)
- Properties where deed restriction are used to limit exposure no longer require notice to the department in the case of change of use or construction at the site, or the ability for MDEQ to have access to ensure exposure barriers are being maintained. (page 53-54)
- New ambiguous methods of restricting future use such as licenses or contracts are allowed. (page 56)
- The preference for cleanup that remove the hazardous substances are no longer preferred over other methods of remediating a site. (page 36)

We urge the committee to have the department work with interested parties over the summer to improve the provisions of the bill and provide better protection for public health in communities across the state.

Sincerely,

James Clift, Policy Director
Michigan Environmental Council